

Attorney Docket No.: 760.1034

**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of: Milton HODOSH  
Serial No.: Not yet known  
Filed: Simultaneously  
For: METHOD AND COMPOSITION FOR  
PREVENTING TOOTH HYPERSENSITIVITY  
WHEN USING PASSIVE BLEACHING AGENTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
[37 CFR 1.9(f) and 1.27(b)] - Independent Inventor**

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **METHOD AND COMPOSITION FOR PREVENTING TOOTH HYPERSENSITIVITY WHEN USING PASSIVE BLEACHING AGENTS** described in

X the specification filed herewith.  
\_ application serial no. \_ filed \_.  
\_ patent no. \_ issued \_.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization.  
 persons, concerns or organizations listed below\*

**\*NOTE:** Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities.  
(37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

**Send correspondence to:** STEINBERG, RASKIN & DAVIDSON, P.C.  
1140 Avenue of the Americas  
New York, N.Y. 10036

Direct Telephone calls to: (212) 768-3800

Milton Hodosh, D.M.D. 3-9/98  
Milton Hodosh, D.M.D. Date

**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of: Milton HODOSH  
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WHEN USING PASSIVE BLEACHING AGENTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
[37 CFR 1.9(f) and 1.27(c)] - Small Business Concern

Honorable Commissioner of Patents and Trademarks  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

I hereby declare that I am

[ ] the owner of the small business concern identified below:  
[X] an official of the small business concern empowered to act in behalf of the  
concern identified below:

Name of concern Sultan Chemists, Inc.

Address of concern 85 West Forest Avenue  
Englewood, New Jersey 07631

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor(s) to

convey rights to the small business concern with regard to the invention, entitled METHOD OF PREVENTING TOOTH HYPERSENSITIVITY WHEN USING PASSIVE BLEACHING AGENTS by inventor Milton HODOSH described in

[X] the specification filed herewith  
[ ] application serial no. filed  
[ ] patent no. issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

**FULL NAME** \_\_\_\_\_  
**ADDRESS**

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to: STEINBERG, RASKIN & DAVIDSON, P.C.  
1140 Avenue of the Americas  
New York, N.Y. 10036

Direct Telephone calls to: (212) 768-3800

**Name of person signing**

Title of person other than owner Vice President

Address of person signing 85 West Forest Ave  
Englewood, NJ 07631

**\*NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.  
(37 CFR 1.27)

**U.S.A.**  
**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND COMPOSITION FOR PREVENTING TOOTH HYPERSENSITIVITY WHEN USING PASSIVE BLEACHING AGENTS** the specification of which (check one)

is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is known to me to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)	Priority claimed			
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial Number)	(Filing Date)	(Status) (patented, pending, abandoned)
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And I hereby appoint

Martin G. Raskin, Registration No. 25,642,  
Clifford M. Davidson, Registration No. 32,728,  
Brian Roffe, Registration No. 35,336,

James R. Crawford, Registration No. 39,155,  
Leslye B. Davidson, Registration No. 38,854,  
Cary S. Kappel, Registration No. 36,561, and  
Joshua L. Raskin, Registration No. 40,135

my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; correspondence address:

STEINBERG, RASKIN & DAVIDSON, P.C.,  
1140 Avenue of the Americas,  
New York, N.Y. 10036;  
Telephone: (212) 768-3800; Fax: (212) 382-2124.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first

Inventor Milton HODOSH

Inventor's signature Milton Hodosh, D.M.D

Date 3/9/98

Residence Providence, Rhode Island

Citizenship U.S.

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